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The Rendition of Anthony Burns. Its Causes and Consequences.

A

DISCOURSE

ON

CHRISTIAN POLITICS,

DELIVERED IN

WILLIAMS HALL, BOSTON,

ON WHITSUNDAY, JUNE 4, 1854.

BY JAMES FREEMAN CLARKE,
Minister of the Church of the Disciples.

1572
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[PUBLISHED BY REQUEST.]

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NOTE. — At the close of the services, the congregation was requested to remain by Mr. GEO. WILLIAM BOND, who offered a Resolution that the Sermon and all the other exercises be published. This was unanimously voted by the large number present, many of whom immediately came forward to put down their names for this purpose.

BOSTON:
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INTRODUCTORY SERVICES.

I. READING OF PSALMS.

PSALM 61 and 62.

Hear my cry, O God, attend unto my prayer.

From the end of the earth will I cry unto thee, when my heart is overwhelmed: lead me to the rock that is higher than I.

For thou hast been a shelter for me, and a strong tower from the enemy.

I will abide in thy tabernacle forever: I will trust in the covert of thy wings.

Truly my soul waiteth upon God: from him cometh my salvation.

He only is my rock and my salvation; he is my defence; I shall not be greatly moved.

My soul, wait thou only upon God; for my expectation is from him.

He only is my rock and my salvation: he is my defence; I shall not be moved.

In God is my salvation and my glory: the rock of my strength, and my refuge, is in God.

Trust in him at all times; ye people, pour out your heart before him: God is a refuge for us.

Trust not in oppression, and become not vain in robbery: if riches increase, set not your heart upon them.

God hath spoken once; twice have I heard this; that power belongeth unto God.

Also unto thee, O Lord, belongeth mercy; for thou renderest to every man according to his work.

II. HYMN.

Lord, we adore thy vast designs,
The obscure abyss of providence!
Too deep to sound with mortal lines,
Too dark to view with feeble sense.

Through seas and storms of deep distress
We sail by faith, and not by sight;
Faith guides us in the wilderness,
Through all the terrors of the night.

Dear Father, if thy lifted rod
Resolve to scourge us here below;
Still let us lean upon our God;
Thine arm shall bear us safely through.

III. SELECTION FROM THE PROPHETS.

READ BY THE MINISTER AND CONGREGATION.

The Lord standeth up to plead, and standeth to judge the people.

The Lord will enter into judgment with the elders of his people, and the chief men thereof: for ye have eaten up the vineyard; the spoil of the poor is in your houses.

What mean ye that ye beat my people to pieces, and grind the faces of the poor? saith the Lord God of hosts.

Wo unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth!

Wo unto them that rise up early in the morning that they may follow strong drink; that continue until night, till wine inflame them!

And the harp, and the viol, the tabret, and pipe, and wine, are in their feasts: but they regard not the work of the Lord, neither consider the operation of his hands.

Therefore hell hath enlarged herself, and opened her mouth without measure: and their glory, and their multitude, and their pomp, and he that rejoiceth, shall descend into it.

And the mean man shall be brought down, and the mighty man shall be humbled, and the eyes of the lofty shall be humbled:

But the Lord of hosts shall be exalted in judgment, and God that is holy shall be sanctified in righteousness.

Wo unto them that draw iniquity with cords and sin as it were with a cart-rope:

Wo unto them that call evil good, and good evil: that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter!

Wo unto them that are wise in their own eyes, and prudent in their own sight! Which justify the wicked for reward, and take away the righteousness of the righteous from him!

Therefore as the fire devoureth the stubble, and the flame consumeth the chaff, so their root shall be as rottenness, and their blossom shall go up as dust; because they have cast away the law of the Lord of hosts, and despised the word of the Holy One of Israel.

O Lord, the great and dreadful God, keeping the covenant and mercy to them that love him, and to them that keep his commandments;

We have sinned, and have committed iniquity, and have done wickedly, and have rebelled, even by departing from thy precepts and from thy judgments;

Neither have we hearkened unto thy servants, which spake in thy name to us.

O Lord, righteousness belongeth unto thee, but unto us confusion of face as at this day!

O Lord, to us belongeth confusion of face, because we have sinned against thee.

Now therefore, O our God, hear the prayer of thy servants, and their supplications, and cause thy face to shine upon thy sanctuary for the Lord's sake.

O my God, incline thine ear, and hear; open thine eyes, and behold: for we do not present our supplications before thee for our righteousness, but for thy great mercies.

O Lord, hear; O Lord, forgive; O Lord, hearken and do; defer not, for thine own sake, O our God.

IV. PRAYER.

V. READING OF SCRIPTURES.

SELECTION FROM THE LAMENTATIONS OF JEREMIAH.

How doth the city sit solitary, *that was* full of people! *how* is she become as a widow! she *that was* great among the nations, *and* princess among the provinces, *how* is she become tributary!

She weepeth sore in the night, and her tears *are* on her cheeks; among all her lovers she hath none to comfort *her:* all her friends have dealt treacherously with her, they are become her enemies.

The ways of Zion do mourn, because none come to the solemn feasts: all her gates are desolate: her priests sigh, her virgins are afflicted, and she *is* in bitterness.

Her adversaries are the chief, her enemies prosper; for the LORD hath afflicted her for the multitude of her transgressions: her children are gone into captivity before the enemy.

The adversary hath spread out his hand upon all her pleasant things: for she hath seen *that* the heathen entered into her sanctuary, whom thou didst command *that* they should not enter into thy congregation.

Is it nothing to you, all ye that pass by? behold, and see if there be any sorrow like unto my sorrow, which is done unto me, wherewith the LORD hath afflicted *me* in the day of his fierce anger.

The LORD hath trodden under foot all my mighty *men* in the midst of me: he hath called an assembly against me to crush my young men.

The LORD is righteous; for I have rebelled against his commandment: hear, I pray you, all people, and behold my sorrow; my virgins and my young men are gone into captivity.

All that pass by, clap *their* hands at thee; they hiss and wag their head at the daughter of Jerusalem, *saying*, *Is* this the city that *men* call the Perfection of beauty, the Joy of the whole earth?

All thine enemies have opened their mouth against thee: they hiss and gnash the teeth: they say, We have swallowed *her* up: certainly this *is* the day that we looked for; we have found, we have seen *it*.

Thou hast made us *as* the off-scouring and refuse in the midst of the people.

All our enemies have opened their mouths against us.

How is the gold become dim! *how* is the most fine gold changed! the stones of the sanctuary are poured out in the top of every street.

Her Nazarites were purer than snow, they were whiter than milk, they were more ruddy in body than rubies, their polishing *was* of sapphire:

Their visage is blacker than a coal; they are not known in the streets: their skin cleaveth to their bones; it is withered, it is become like a stick.

The kings of the earth, and all the inhabitants of the world, would not have believed that the adversary and the enemy should have entered into the gates of Jerusalem.

For the sins of her prophets, *and* the iniquities of her priests, that have shed the blood of the just in the midst of her.

They hunt our steps, that we cannot go in our streets: our end is near, our days are fulfilled; for our end is come.

Our necks *are* under persecution: we labor, *and* have no rest.

Servants have ruled over us: *there is* none that doth deliver *us* out of their hand.

Thou O LORD remainest forever; thy throne is from generation to generation.

Turn thou us unto thee, O LORD, and we shall be turned; renew our days as of old.

VI. HYMN.

BY JAMES RUSSELL LOWELL.

Men! whose boast it is, that ye
Come of fathers brave and free,
If there breathe on earth a slave,
Are ye truly free and brave?
If ye do not feel the chain
When it works a brother's pain,
Are ye not base slaves indeed —
Slaves unworthy to be freed?

Is true freedom but to break
Fetters for our own dear sake,
And with leathern hearts forget
That we owe mankind a debt?
No! true freedom is to share
All the chains our brothers wear,
And with heart and hand to be
Earnest to make others free!

They are slaves, who fear to speak
For the fallen and the weak;
They are slaves, who will not choose
Hatred, scoffing, and abuse,
Rather than, in silence, shrink
From the truth they needs must think;
They are slaves, who dare not be
In the right with two or three.

VII. SERMON.*

LAMENTATIONS, CHAPTER II. 15, 9.

Is this the city that men call The perfection of beauty, the joy of the whole earth?

Her gates are sunk into the ground; he hath destroyed and broken her bars; her king and her princes are among the Gentiles; the law is no more; her prophets also find no vision from the Lord.

I HAVE invited you here this morning to meditate on the events of the week; the phenomenon which has occurred in the streets of Boston. The SLAVE POWER, which has triumphed in Congress over the Rights of the North, which has violated sacred compacts, and broken contracts after having taken its own share of the consideration, has come North to Boston, has taken possession of our Court House, of our City Government, our whole Police force, our whole Military force, and suspended and interrupted the business of our citizens until its demands could be satisfied. Not contented,

* A portion of this Sermon was delivered extempore; consequently the printed copy will vary from it in some particulars, but it is believed in no essential ones.

as before, with carrying its victim away under the cloud of night, it this time must have a more open triumph, and turns our citizens out of their own streets, their banks, post-office, places of business, compels them to shut up their stores, turns them back at the point of the bayonet if they attempt to pass to their affairs, for a whole day suspends all business; in order that it may publicly defy Northern sentiment in its most sacred home.

This event has taken us all by surprise. Great as is the audacity, or let me call it *courage*, of the South, we did not suppose there was a Southerner bold enough to come to Boston at this time, in the midst of the universal indignation against the Nebraska villany, to look for a Slave — or, that if he came, he could by possibility succeed. The day before the arrest of Burns, I was riding in the cars with one of the conservative gentlemen of Boston, who had sustained the Compromises in 1850, and I said to him — "Do you think they could carry back a Slave from Boston now?" "Not they," said he, "My acquaintances are all opposed to the Abolitionists, but I don't know *one* who would consent to it." So when I heard in Western New York that a black man had been arrested in Boston as a fugitive, instantly I said, "I am glad of it!" I said it in my simplicity. When I arrived in Boston on Tuesday, and saw the soldiery, and the city in the hands of the Slave Power, I felt a weight of sorrow which death cannot cause. I had just returned from visiting the new-made grave of my father. I had just come from among his children bereaved by his death of the best of parents, of one who loved them with a wonderful affection, one whose smile was a perpetual blessing, whose face was like that of an angel. But the sorrow for his loss was not *bitter*, it was tempered with joy. They shed tears, but no bitter tears. They wore no mourning for him, for they could not mourn for one whose life was good, whose days were many and happy, and whose death was the beginning of a higher life. But *now* I feel like putting on mourning. Now

I would say, "Hung be the Heavens in black," — now I feel a heaviness in the air as though it were full of sin. On Friday afternoon as I rode through the beautiful environs of Boston, *most* beautiful now, I felt as though our prosperity and happiness were poisoned by this baseness — as though our own good fortune had made us selfish, and mean, and cowardly. It is not bereavement which is the greatest evil. How true are those words — "the sting of death is sin." My wife said to me, "I cannot wear mourning for father; for it seems to me that a Christian ought only to wear mourning for his friends when they have committed some great sin." Now would be the time for this community to put on mourning — to wear black crape on the arm; because Honor is dead, because Humanity is dead, because Massachusetts has been placed, and by her own acts, beneath the feet of Virginia.

But I wish to be calm to-day. I have no wish to speak a harsh word, or to be unjust to any one, or to increase at all any passionate excitement. I wish to produce excitement — but not that of the passions. I wish to excite your conscience, your heart, and your understanding — such excitement I believe we need; a deep, calm, strong excitement, which can wait, when to wait is necessary; which can work, when to work is timely; which will prepare us to do our duties hereafter as Christians and as men.

First, then, let us consider the Facts, and look at our relation to Slavery and the Slave Power. The relation of Freedom to Slavery in this country was, first, that of Superiority; second, of Equality; third, of Inferiority; and is now that of Subjection. At the time the Constitution was formed, though Slavery existed in the Northern States, the Spirit of Freedom was its master both at the South and the North. Southern Statesmen, Patrick Henry, Jefferson, Madison, denounced Slavery then as a great evil and wrong, agreed to exclude it from the North West Territory, refused to re-admit it there again, and expected and desired its speedy

abolition. That was the condition of things at first—Slavery under the feet of Freedom, *Southern* Statesmen proposing and adopting what we now call the Wilmot Proviso.

A few years pass, and we find a change already taking place. The cultivation of cotton has made slave labor more valuable. The territory of Louisiana is bought of France under Mr. Jefferson's administration. Missouri is admitted in 1821 as a Slave State, after a severe conflict, but on the express condition that all other territory lying as far North as Missouri shall forever be consecrated to Freedom. Slavery and Freedom now are on a footing of *Equality*; they are to have an equal share of everything. Right and Principle have now yielded to Expediency, and the seed is sown to bear bitter fruit afterward.

In the years succeeding the Missouri Compromise, Slavery is constantly gaining ground. Florida is obtained and given up to Slavery without a struggle. The Slave Power drives the Indians out of Georgia, brings on the Florida War, and at last, grown bolder, proposes the annexation of Texas as a Slave State, and, after a struggle, conquers. The main feature of this transaction was, that it was done *avowedly* to prevent the abolition of Slavery and to strengthen the Slave Power. Not only was this purpose proclaimed in Congress by Mr. Henry A. Wise and others, but also by Mr. Calhoun, Secretary of State, in diplomatic correspondence with Mr. Packenham, the British Minister — thus, for the first time, causing the *Nation* to stand in the attitude of a Slavery Protector before the world. Slavery is now *uppermost*, and Freedom beneath.

But since the Democratic party at the North assisted Southern Democrats and Southern Whigs to annex Texas, events have proceeded with a wonderful rapidity. The Slave Power hurled us into a war with Mexico, in order to obtain more territory for Slave-holding purposes. It failed in this as regards California, owing to the discovery of gold, which caused it to be filled immediately with poor emigrants from

free countries, who did not choose to work by the side of Slaves. But in 1850 it succeeded in overcoming by threats of disunion our avowed Northern purpose, prevented the Wilmot Proviso from being applied to the territories, and finally passed by Northern votes, among them that of Samuel A. Eliot of this city, this Fugitive Slave Law, under which Burns was on Friday carried through our streets. This Law, as you know, tramples on all the legal and constitutional guarantees of Freedom. The Constitution says (in the 5th Article of Amendments,) that "*No person shall be deprived of his liberty without due process of Law,*" and also that "*In suits at common Law, where the value in controversy shall exceed twenty dollars, the right of trial by Jury shall be preserved.*" Burns was in possession of his liberty, ten days ago — he was a self-supporting, tax-paying citizen of Massachusetts. He had a right to vote at the polls after a year's residence here. He has been deprived of that liberty, he has been turned into a Slave, and he has not seen either Judge or Jury. Now such men as Chas. G. Loring, Horace Mann, Robert Rantoul, Jr., Chief Justice Hornblower of New Jersey declare this Law unconstitutional, while Ben. R. Curtis and Edward G. Loring have argued its constitutionality. But two things are plain enough. First, If it is constitutional, then the Constitution has provided no adequate guarantees for the protection of Liberty. Secondly, If, instead of the South threatening to dissolve the Union, it had been the North that was uttering this threat; if the whole North was determined to resist the law, and the South did not care whether it was enforced or not; how long would it have taken Mr. Ben. R. Curtis and Mr. Edward G. Loring to have shown the *unconstitutionality* of the law? I once put that question to a defender of the law — a lawyer. He smiled, and said "Not five minutes."

I am no lawyer, and it may be very presumptuous in me to touch on a question of constitutional law. But there are some common-sense conclusions, which you and I, though

not lawyers, are adequate to. Let me call the attention of the defenders of this law to the following points, which plain men among their fellow-citizens would like to have explained. This examination before the Commissioner is either a trial or it is not a trial of the question of Liberty. If it be a trial, it is a trial without Judge or Jury. If it be *not* a trial, then a free citizen of Massachusetts is turned into a Slave without a trial. Anthony Burns was a free citizen of Massachusetts when he came before the Commissioner: for the presumption in a free State is that every man is free until he is proved to be a Slave. He was a free citizen when he came before the Commissioner — he left him a Slave, in the hands of his master. The Commissioner denies that his examination is a judicial process. Anthony Burns, then, was turned into a Slave, without a trial.

Under that law, on Friday, Anthony Burns was sent back into Slavery by the decision of the United States Commissioner. It surprised not only the people, but the lawyers. Most of the lawyers believed that there was legal ground for a reasonable doubt of the man's identity. The Commissioner was satisfied of the identity of the prisoner with the person claimed, only by his own conversation. He was sent back entirely on the ground of what he said himself on the night of his arrest. And this conversation of his is proved only by Brent, the agent of the claimant, whose testimony on other points was contradicted by the strongest evidence. The Commissioner admits that Brent's testimony was completely neutralized, as regards the point of identity, by the testimony of other witnesses of unimpeachable integrity. Nevertheless, he allows him to re-establish his own testimony, by means of his own testimony on another point. The only witness to the identity has been completely disparaged by unimpeachable witnesses, and the Commissioner admits that it *is* thus disparaged, and yet takes him again as evidence to the conversation on the strength of which he sends back the man to Slavery.

Setting aside everything else, Mr. Loring accepts Brent's account of a conversation, held with the prisoner on the night of the arrest, when in a state of terror; and on the strength of that conversation sends him into Slavery. And yet the Fugitive Slave Law itself declares that "in no trial or hearing under the Act shall the testimony of an alleged Fugitive be admitted in evidence."

I do not wish to speak harshly of the Commissioner. No doubt he has a sufficient weight on his own mind and heart to-day. Miserable as is the condition of poor Burns, I do not know but that it is to be preferred to that of Edward Greeley Loring. He had an opportunity of setting the man free on grounds which every Boston lawyer would have admitted to be sufficient. He has sent him back to Slavery upon grounds in which half his legal friends will not sustain him. I believe him honest, but biased against the cause of human liberty, by his habits of mind, and his immediate associations. When the Fugitive Slave Law was passed, he wrote articles, defending its constitutionality and necessity, in the newspapers of this city. I have not those articles at hand, but I recollect that they seemed to me at the time to contain arguments the fallacy of which, on any other subject, he would have easily seen. He argued, for instance, that the person claimed as a Fugitive could lay no claim to the constitutional guarantees of liberty, because Slaves were not parties to the Constitution. He thus assumed the very thing to be proved, that the person *claimed* as a Fugitive, *was* a Fugitive, and a Slave. And he has now decided the case of Burns according to the 10th Section of the Statute rather than the 6th. According to the latter, he would have had jurisdiction over the three questions of Slavery, Escape, and Identity. These three points the claimant attempted to prove, thus selecting the 6th Section as the one under which he chose to proceed. But Mr. Loring decides that these two points of Slavery and Escape are beyond his jurisdiction—thus narrowing immensely the chances of the defendant. According to

this ruling, you or I may be seized to-morrow, and the two points that we were Slaves, and that we escaped, would be considered as established by a piece of paper brought from the South by the person claiming us. Consequently, if the Commissioner had evidence that I was really the James Freeman Clarke described in the Virginia Record he has no right, legally, to do anything but send me back. He would *not* do it; but by his own interpretation of law he ought to do it. He would not do it, because I am white and because he thinks he knows that I never was a Slave. But there is nothing in the law about white or black, and Northern free-born men are turned into Slaves very easily in this country. Witness the case of Northop, born in Connecticut, kidnapped in Washington, and for years a Slave on the Red River. Witness that poor fellow who, born free in Pennsylvania, was turned into a Slave in Maryland, and lately escaped from Charleston to Delaware Bay on the outside of a steamer, under the guards, from which he was picked off, half dead, to be sent back to Slavery again by a Delaware Commissioner.

"Nephew," said Algernon Sidney in prison, on the night before his execution, "I value not my own life a chip, but what concerns me is that *the Law* which takes away my life may hang every one of you, whenever it is thought convenient." Commissioner Loring's interpretation of this Law may send you or me, your wife or daughter or mine, into Virginia as a Slave, whenever it is thought convenient. It will not be necessary for the Georgia Legislature to offer $5,000 again for the head of Garrison. All that is necessary is that a certificate shall be made out describing him, or Wendell Phillips, or Theodore Parker, as an escaped Slave, and Commissioner Loring being satisfied of their identity must send them back — or change his views of the Statute.

The Law, thus explained, is the one which he has defended before this community as constitutional and proper. I blame him for sending back Burns under the Law. I blame him *more* for being willing to act as Commissioner under such a

law. Ah! but says he, if *good men* do not administer it, it will be left to be done by bad men. It seems to me that such a course of reasoning would justify us in doing any wrong thing, which we feared others might do, if we did not. No man who believes Slavery *wrong* is authorized in turning a Man into a Slave. I blame him then for acting as Commissioner under this Law. But I blame him most of all for defending such an infamous Statute, and for trying to make it acceptable to the community. If those who, in past times, have spent years of toil and sorrow in securing for us the great bulwarks of personal Freedom, Trial by Jury, the writ of Habeas Corpus, and the like, under which we live — if *they* are entitled to our lasting gratitude, what are those entitled to who exert their ingenuity, learning, and influence to overthrow these securities? These things also will be remembered — but in a different way.

As regards the Mayor of the city, he seems to me to have taken a most ill-judged and unfortunate step in calling out the Military to perform escort duty to the United States Marshal. No doubt he thought that it was done to preserve the peace of the city. But the peace of the city was nowhere threatened, and the great danger was from the armed soldiers themselves. Orders were actually given them to aim at the citizens, close to the scene of the old Boston Massacre. If they had fired, the results no man can tell, but they would have been most deplorable. Many of the troops behaved with brutal disrespect of the rights of peaceable citizens, and furnished us with an example of what it is to live under military rule. The Mayor of the city has, in my opinion, by all this, disgraced us, and shown himself eminently unfit for his position. He has exposed us to the risk of scenes of violence, which we have barely escaped by the good sense of the citizens, and that of some of the officers and soldiers — and he has disgraced our military by making them the body-guard of a Virginia Slaveholder and his Slave-catchers. Long may it be before our troops are called out again for such a purpose as this.

It seemed to me, as I watched the crowd in State Street, that it depended on the slightest circumstance whether or not that street should again run red with the blood of citizens, murdered because they could not bear to see a man turned into a Slave before their eyes. Had I known what orders had been given to the troops by the Mayor of the city, my alarm would have been greater. If it be true, as has been stated, that he gave orders that any citizens who attempted to break the lines should be fired upon, then he deserves to receive the unqualified indignation of the community. It has, however, done us service in showing us what we are to expect from the Slave Power, under whose despotism we now live. Like other despots, it will govern us by military force. That is before us, as a certainty — for no despotism has ever failed to use a soldiery as the necessary condition of maintaining its supremacy. In a few years, this too may come.

The papers also inform us that while bells were tolling in half the towns of New England, and the hearts of tens of thousands in Boston were weighed down by irrepressible grief, the Mayor and the Officers were carousing and giving toasts to each other at the Albion, as if utterly reckless of the public feeling.

Meantime the eyes of the whole North have turned to us, waiting to see if the tocsin of liberty was to sound out again from Faneuil Hall and State Street. Sadly have they been disappointed. The bells were tolled in many a town in New England when the sad news came of the decision of the Commissioner and the removal of his victim. And as a specimen of the feeling out of New England, allow me to read to you an extract from a letter which I received last night from Chicago, Illinois: —

"On Saturday, Chicago was thrown into a great state of excitement by telegraphic despatches from Boston, of the Fugitive Slave case. Men of all parties say that they are glad that the first case comes up in Boston, for they think or

hope that she will take the lead in resistance to oppression, and they are all ready to follow. We are looking to-day, with great interest, for the next despatch.

"I should be willing to prophesy that if Boston says 'that no Fugitive Slave shall be carried back *at any rate*,' the other Northern cities will follow her example."

Oh! what an opportunity has been lost by Boston! And why is it that the old spirit has left us — the spirit of '76? It is not merely the Commissioners, and the Marshals, and the Mayors, who have disgraced us. They are but the creatures of public sentiment. If Boston were unanimous on the side of Freedom and Justice, (as I trust it is to be) the Commissioners would easily discover the legality of setting free the Slave; the Marshals and their followers would soon be of the same mind, and no more Slaves could be carried from Boston. All policemen would imitate the noble act of Capt. Hayes, and resign rather than debase themselves by such a service.*

I blame to-day the Churches and Clergy of Boston, for if they had been faithful to their Master, this thing could not have happened. And especially I blame the Unitarian Churches, for they have had the especial and rare fortune of having their greatest and best teacher on the side of Justice and Humanity — and they have fallen away from his teaching and his example. Dr. Channing's writings read to-day as

* The following is the letter of Capt. J. K. Hayes, a document which his children and children's children will prize as an inheritance more precious than houses or stocks.

BOSTON, JUNE 2, 1854.

To His Honor the Mayor and the Aldermen of the City of Boston:

Through all the excitement attendant upon the arrest and trial of the Fugitive, by the U. S. Government, I have not received an order which I have conceived inconsistent with my duties as an officer of the Police, until this day, at which time I have received an order, which, if performed, would implicate me in the execution of that infamous "Fugitive Slave Bill."

I therefore resign the office which I now hold as a Captain of the Watch and Police from this hour, 11 A. M.

Most respectfully yours, JOSEPH K. HAYES.

History, not Prophecy. He announced beforehand, in his clear mind, purified by devotion to truth and right, all that has since come upon us. And yet, out of the Unitarian Churches of Boston have come those who have done the most in this community to lower its moral sense on this subject. The man who voted for the Law at Washington, and many of those who defended it and have enforced it at home, were members of our Unitarian Churches. True, if we sent to Washington a Samuel A. Eliot, we have also sent a John Quincy Adams, a John G. Palfrey, a Horace Mann, and a Charles Sumner. But yet, seeing how little influence the teachings of a Channing, a Follen, and a Ware have had on the Boston Unitarians, we are brought to the conclusion that Commercial Christianity is much the same always — that the rich churches in commercial cities, whether calling themselves Episcopalians, Presbyterians, or Unitarians, will always have much the same faith, a faith in the Dollar, rather than a faith in God. They no doubt contain many good men, and more good women; but the ruling spirit of such churches is hard, cold, worldly, and selfish. The words of a Channing will quicken them to inward life only when vernal showers shall cover the granite rock with verdure. Dr. Hitchcock, in his Geology, tells us that in 1828 a mass of ice was found on Ætna, lying beneath a current of lava. "Probably," he says, "before this flowed over it, the ice might have been covered by a shower of ashes, which is a good non-conductor of heat, which prevented its melting." So when the cold heart is protected by the ashes of selfish and worldly habits, the warm tide of Christian love and holy truth may flow over it, and leave it hard and cold as ever.

Then there are bad newspapers, in such a city as ours, which exert an influence like a poisonous miasma. There are reckless and inhuman prints, bought by Federal money, by the hope or the possession of Federal Offices, which occupy the exact position to-day in our community which the Tory pensioners of the British Government occupied here in

1770. Traitors to the North, hostile to every free thought, Slaves at heart, and fit to be the tools of the Slaveholder, they usually call themselves Democrats, when about to support to the utmost the despots and aristocrats of the South.

A blind adherance to party is another cause of our present position. Men allow themselves to vote for the party candidate, regardless of his character and convictions. These candidates are usually those who are chiefly interested in keeping the party together, in carrying the next election; and who, when they get to Washington, are moulded and influenced like soft wax by the ruling powers there. The times require different men — and in order to have them, those who see that the great question now is that of Slavery, must insist on positive pledges from every man before they vote for him. The mere name of Whig, Democrat, or Free Soiler is now worth nothing. We must have *men* to vote for, upright, downright, and outspoken. In this is our last hope, our only security.

We have grown too rich in Boston. The rich Boston of 1854, with its two hundred millions, has not the same energy and patriotism as the poor Boston of 1776. Here and there we find rich men who are full of courage and the love of freedom, but too often riches are found to be akin

"To fear, to change, to cowardice, and death."

Nor can we omit here to state, among the causes of our present position, the false policy of those who have sought to conciliate the South by concession. In every instance, concession to the South has been followed by more desperate attempts for power on the part of the South. If Revolution is before us, if Civil War and Dissolution of the Union is at hand, I believe before God that the responsibility for it will rest upon those who, for the sake of a false peace, have yielded Northern convictions of right, who have called these convictions prejudices, who have sneered at conscience, and have

defied the Almighty by setting the law of man above the law of God.

What will be the results of all this? What are the probable prospects before us? Matters will not stand here. The indignation in the public mind, excited by such events, will not die out, but will grow more intense, bitter, and regardless of consequences. The men who, last Friday, stood still in State Street and submitted to the law, will, on the next occasion, be ready for more revolutionary measures. If blood had been shed then, if the soldiers had fired on the people and made another massacre, it would have been the beginning of a revolution quite as important as that of 1776. Meantime, the Slave Power, encouraged by this triumph, will go on more recklessly in its projects. It feels now, since it can pass a Nebraska Bill, and then as soon as it is passed take a man out of Boston at mid-day, that it can do anything. Presently we shall find ourselves in a war with Spain, for the possession of Cuba; we shall find the Slave Trade re-opened with Africa; and when at last the Slave Power has made use of the Union to accomplish its ends, and has gained all the territory it needs for its ambitious purposes, it will be ready to dissolve the Union, and form a Slaveholding State. All this is in preparation — five years or ten years may see it accomplished.

The amount of the whole is that all these triumphs of Slavery increase its Political Power — while they increase the Moral Power of Anti-Slavery. Therefore we find the community becoming more and more divided into two parties. On one side stands the Slave Power, with the party Politicians, the Federal Government, the United States Army, Navy, Judiciary, and Congress — making one formidable party. Opposed to these will be the masses, the uncorrupted masses of the Northern People — particularly in the country, where they are not corrupted by direct commercial transactions with the South. With these will be allied the religious sentiment of the country — the body of Northern clergy — all the literature of the land — all genius, poetry, art; and all the true

hearted women. These have been always on the side of Freedom, and will be more so, hereafter, than ever.

There is a great struggle before us, and we may as well be prepared for it. It may be a very terrible one, it may involve civil war, the destruction of property, the temporary overthrow of our social fabric. But if, in the struggle, Slavery is overthrown, our country has vitality enough in it to recover from any shock, and *that* root of bitterness, *that* fatal poison being removed, it will bloom forth in new and lasting life.

But we are not without grounds of hope to-day. When the night seems darkest, the day is often about to dawn. Senator Butler says that "a law which can only be enforced at the point of the bayonet is no law." The Fugitive Slave Law could only have been enforced in Boston last Friday by the point of the bayonet. It was necessary to have a thousand troops under arms, a piece of artillery with forty rounds of canister shot, three companies of United States Marines, all the Police force of the city, and the Marshal with his posse of thieves and blacklegs, the sweepings of our jails and prisons. Without this force, the man could not, it is well known, have been removed; and even as it was, the firing of a single gun into the crowd might have caused the instant breaking up of this military force. It was accompanied during its whole march by the groans and hisses of the people; and many a brave soldier's heart must have sunk within him in thinking of the odious work in which he was engaged. It is very doubtful whether the military will consent to serve again for such a purpose. Nor shall we have a Mayor again, let us trust, who will order them out for this object.

We have grounds for hope in the great change going on in this community in public sentiment. Those who, in 1850, supported the Compromises, are now signing by thousands the petition for their repeal. As a sign of their feelings, this is well, though as a practical action it amounts to nothing. It is not by asking Congress to repeal it, but only by determining that it shall not be executed, that the *present* crisis can be

met. The Sybil, each time that we reject her offer, demands a higher price for her commodities. What would have done in 1850 will not do now. What will do now will not do five years hence. We have long since passed the time for petitions and remonstrances. We can hope little now from Congress or its action.

The country is at last awaking. The great West is awaking. Ohio is wheeling into line and will be, perhaps, the leader in the coming struggle. Northern enthusiasm, when fully aroused, has always been more than a match for Southern organization, — Northern conscience, slow but stubborn, more than a match for Southern impetuosity. So may it be still!

God is on our side. Truth, Justice, Humanity, are on our side. These are great allies. We must not falter, and we cannot ultimately fail when they are with us. The Right is very apt to be overthrown at first; it is sure of the victory in the end.

"Careless seems the great Avenger: History's pages but record
One death-grapple in the darkness, 'twixt old systems and the Word,
Truth forever on the scaffold, Wrong forever on the Throne,
Yet that scaffold sways the future, and behind the dim unknown
Standeth God within the shadow, keeping watch above His own."

As I rode to town this morning, I passed between orchards and groves eaten bare by the canker-worm. It was as though a fire had passed over them. But I know that in a few weeks the worm will be gone, and that the leaves will again appear, and the trees be again green. The powers of life are greater than those of destruction. The canker-worm of Slavery may destroy our present peace, our present prosperity; but the powers of life which animate this great nation, and direct its steps toward universal Freedom and Equality, cannot be conquered. They will carry us forward over the ruins of Slavery, over false democracy, over a commercial and

infidel church, into a new Eden of higher Freedom, and Progress, and Peace.

To-day is Whitsunday. It has a great and hopeful lesson for us. Consider what darkness, what despair fell on the hearts of the disciples when Jesus was crucified! What elements of gloom went to make up that "power of darkness"! The betrayal by Judas, the denial by Peter, the cowardice of the Twelve, the time-serving spirit of the Judge, the cruelty of the soldiers, the malice of the priests, the rage of the people. It all fell on the head of the blessed one — and crushing him, crushed with him all their hopes. A few weeks pass — and out of that darkness comes a great light, out of that defeat a triumph, out of that weakness strength, out of dispersion union. On the day of Pentecost, fiery tongues rest on their heads, courage and conviction enter their hearts — they are heard by every man speaking to him in his own tongue, united, strong, brave, hopeful, loving — they go forth, to conquer the world.

May to-day be a Pentecost to the cause of humanity. To-day, may the servants of Christ be everywhere speaking with new tongues, as the Spirit gives them utterance. May all our divisions and separations be at an end, and all true lovers of liberty, whether they call themselves Whigs, Democrats, Free Soilers, or Abolitionists — be united in one calm and earnest purpose — and once again all be of one speech and one tongue.

Last Friday, Christ was crucified again in the form of the poor negro Slave. This morning, I feel in my heart that the Spirit has arisen from the grave, and is poured out on many a mind and heart. It was well that this deed should have been done on Friday — and it is well that this Sunday should come so soon after, with its bright and beautiful sun, to open through the land a thousand pulpits to denounce the shame, and to call men to a deep purpose of atoning for it.

What then can be done? What can we do? This is our last question.

1. We must be UNITED. We must sacrifice everything to unite in one great Northern party all the friends of Freedom and Humanity. Let us forget the past, and gladly receive help from all. Let us reproach no one because he comes in at the eleventh hour. Whoever will repent, and do deeds meet for repentance — even though he has been a servant of kidnappers, a United States Commissioner, a Marshal, the Editor of a sham Democratic paper, or worse than all, a LOWER LAW DOCTOR OF DIVINITY — whoever will repent, let him be welcome.

2. Let us be calm. Let us put the calmest, coolest men in front, to lead us. Let the most conservative advise, and tell us what we are to do. Let those of us who for years have been speaking, now listen for words from those whose turn has come to speak. The Anti-Slavery Platform welcomes its new orators from State Street and Long Wharf. Let us not, by any rashness, lose the opportunity of uniting all men who are in earnest.

It is not for me, therefore, to say what we shall do next. But it can do no harm to read a little History, so that we may see by the example of our fathers how, without violence or bloodshed, this Statute may hereafter become a dead letter.

In 1765, the British Parliament passed the Stamp Act, which was opposed as a usurpation by Parliament, and as denial of Trial by Jury in cases of property. This was the address then made by the legislature of Massachusetts to the Governor.*

"You are pleased to say that the Stamp Act is an Act of Parliament, and as such ought to be observed. This House, Sir, has too great reverence for the Supreme Legislature of the Nation *to question its just authority.* It by no means appertains to us to adjust the boundaries of the *power* of Parliament, *but boundaries there undoubtedly are.*" So we

* This, and some other things in this Discourse, are taken from Charles Sumner's admirable Speech in the Senate of the United States, Aug., 1852, on his motion to repeal the Fugitive Slave Bill.

may say that it by no means pertains to us to adjust the boundaries of the power of Congress — *but boundaries there undoubtedly are.*

The tories of that day in Massachusetts welcomed the Stamp Act then, just as the organs of the Administration welcome the Nebraska Bill and the return of Fugitives now. Governor Bernard demanded submission. The Officers of the Customs, as now the Marshals, called for military force to assist them in executing it. Then, as now, the military were opposed to the people. A British Major of Artillery in New York said, "I will ram the Stamps down their throats with the end of my sword."

But the whole country soon organized itself into a peaceful union to oppose the execution of the Act. John Adams, in his Diary, says:

"The year 1765 has been the most remarkable year of my life. That enormous engine, fabricated by the British Parliament for battering down all the rights and liberties of America — I mean the Stamp Act — has raised and spread through the whole continent a spirit which will be recorded to our honor with all future generations. In every colony, from Georgia to New Hampshire inclusively, the Stamp distributors and inspectors have been compelled, by the unconquerable rage of the people, to renounce their offices. Such and so universal has been the resentment of the people, that every man who has dared to speak in favor of the Stamps, or to soften the detestation in which they are held, how great soever his abilities and virtues have been esteemed before, or whatever his fortune, connections, and influence had been, has been seen to sink into universal contempt and ignominy."

Let the people be united, and they are irresistible. No doubt the Stamp distributors would have been glad to have kept their offices and salaries; no doubt they argued that it was best to have the Stamps sold by "good men," but they *had to resign.* No man can live in a community, made unanimous by a common conviction of Right and Truth, and resist its will on such points as these.

If the whole community should call upon the United States Commissioners and Marshals to resign, rather than to enforce the law, they would do so — for no man, I say again, can live in a community, and feel that he is deprived of its sympathy. Therefore no shadow of violence would be necessary, and ought never to be used. The calm request would be heard and obeyed.

This is the only thing which can save us from a Revolution. Perhaps even this cannot now save us. But if we can sever ourselves, wholly, from connection with Slavery, peace may return again. But if scenes like those of last week are to be re-enacted at the North, how long will it take to make the North ready for a dissolution of the Union?

As regards the Southern threat of dissolving the Union, that has now lost its terror. If we had disregarded it ten years ago, we should not be in such danger of dissolution of the Union as we are to-day. The majority of the North to-day *have no objection to a dissolution* of the Union. In this community, where one man was opposed to the Union a week ago, one hundred are opposed to it to-day. The danger of dissolution of the Union *now*, is from the North, not the South. And that danger will increase with wonderful rapidity, if some effectual measures are not taken to prevent the rendition of another Fugitive from the Northern States.

Men have now come generally upon the ground taken years ago by Dr. Channing. In his essay on the duties of the Free States, he speaks of the great advantages of the Union, and of the dangers and difficulties which would result from its dissolution. He speaks with great earnestness of conviction — but he closes thus, after arguing at great length in its favor.

"In all this I do not mean that the Union is to be held fast at whatever cost. Vast sacrifices should be made to it, but not the sacrifice of duty. *For one I do not wish it to continue, if, after earnest, faithful effort, the truth should be made clear, that the Free States are not to be absolved from giving support to Slavery.* Better that we should part, than be the *police of*

the Slaveholder, than fight his battles, than wage war to uphold an oppressive institution."

That is the voice from the grave of Dr. Channing. Is it strange that many should think the time indicated has come? Is not the truth clear that the North are not to be absolved from giving support to Slavery? On last Friday, were we not literally made to act as "the police of the Slaveholder?"

3. We can all determine to support no man hereafter for any public office in the Federal or State Governments, who is not openly pledged to five things —

1. The repeal of the obnoxious clause in the Nebraska Bill.
2. The right of trial by Jury for Fugitives.
3. The exclusion of Slavery from the Territories.
4. The admission of no more Slave States.
5. The abolition of the Union if these cannot be obtained.

4. And, finally, there is the work of individual consecration to the cause of Freedom. What better time than this to make that consecration? Here on this Whitsunday, the first after the rendition of Burns, let us each and all consecrate ourselves to labor and pray and speak and suffer for the cause of Universal Freedom. If we have done a little, let us do more. If we have spoken softly, let us speak more loudly. Let us enlist in this warfare for life.

For myself, I here renew, before you, my dedication of myself to this cause. I pledge myself to devote to it the rest of my life, be it longer or shorter. As a Christian and as a minister of the gospel, I devote myself to it. I am ready to give to it time, thought, heart, hand, means. I am ready to act with all in this cause who will act with me, from the most timid conservative to the most ultra radical. Henceforth I shall reckon it no small part of my professional work to speak, to act, and to pray for the American Slave. I have done something of this hitherto. I did not learn my opposition to Slavery here, or yesterday — but years ago, and in the midst of Slavery itself. I have friends among the Slaveholders

whom I love and prize, and always shall do so. I can see reasons why *they* should continue to be Slaveholders and defenders of Slavery. I can excuse *them*. But I cannot excuse any Northern man, born on free soil, nursed on the bosom of a free mother, who can in any way encourage or support a system, which degrades man into a thing, which corrupts society, separates families, and gives irresponsible power over men and women to the meanest wretch who has a little money. For Northern defenders of such a system I have nothing but an irresistible loathing, pity, and sorrow.

But let us end in Hope. We are to-day cast down but not destroyed. Fraud and force, allied with fear and cupidity, may conquer much, but they cannot conquer God Almighty. Let us work in his cause. It will make your life sweet, it will make your dying pillow soft as down. When that supreme hour shall come to us, and the world's illusions fade away, what will most console us? That we have kept the Compromises inviolate, and have aided in sending back one of God's poor into unrequited toil, to die on a plantation, far from family perhaps, a Slave? Will that console us? Will it be pleasant to think that all the respectability and wealth of the community have said, "Ye did well," if the voice in the conscience whispered, "You are the accomplice of man-stealers?" Which had we rather be, in that dying hour — a Commissioner, sending back the Slave — a Mayor, calling out troops to repress public sympathy with the victim — a Marshal, earning base bread by doing the Slaveholders' behests — an Editor, defending the cause of the tyrant, and scoffing at freedom? Or should we not rather be of those who, without reward, defended the persecuted one — who sympathized with his woes and wrongs — who have labored to break every yoke and let the oppressed go free — and who shall hear Christ say at last — "Inasmuch as ye have done it to the *least* of these my brethren, ye have done it unto me?"

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